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Assuring the Survival of the Unfittest

The importance of the Vitarelli decision, in itself a very limited ruling, is that the U. S. Supreme Court for the first time—although only in a footnote—takes cognizance of the rubbish which serves as standard of loyalty and security in screening persons for government service. We reprint the gist of that footnote in an adjoining box so the reader may savor for himself the full flavor of political illiteracy in these proceedings. As in the days of Metternich and the Holy Alliance, when the priest and the secret informer policed Continental Europe against the slightest whisper of democratic idealism, so today the effect of these screenings is to filter out all who feel deeply and generously for the fate of their fellow men and to reserve government employment, scholastic fellowships and many other professions and privileges to the mediocre, the insensitive, the opportunist, and the crafty. At a time when our country and humanity never had more need for imagination and magnanimity, loyalty-security screenings are a mechanism for the survival in government of those least fit to cope with the unprecedented problems of our time.

Darwinianism in Reverse

The Vitarelli case illustrates this reverse Darwinianism. The Department of the Interior was looking for an educator to serve in a Pacific Islands Trust Territory. Common sense called for a man who would show sympathy for the colored peoples the U. S. rules in these areas, and sensitivity for those as yet without the rights of citizenship. The understanding that Dr. William Vincent Vitarelli had shown for minority rights in his academic and political past was some assurance of fitness for the task, but these qualifications were treated by the ignoramuses of the screening board as cause for suspicion and grounds for removal. Had he been a bigot, a white supremacist, a person equally contemptuous of natives and do-gooders, the screening officials would have welcomed him as a kindred spirit and sent him off to give those Pacific peoples the worst possible impression of Uncle Sam. This is the nemesis that lies in wait for a government which makes conformity the test of loyalty.

These evils will not be cured by litigation. Dr. Vitarelli and his counsel, Clifford Hynning, struggled six years to get this case into our highest court. But all they won, beside $30,000 in back-pay, was reinstatement in a position from which (as the Court admits) he may be discharged without explanation before the ink is dry on its order. The stigma of a loyalty-security discharge which reduced this gifted man to taking a job as high school manual training instructor at an unskilled worker's pay will not be removed. Indeed a new discharge may only deepen it. The slim technicality on which he achieved some small measure of justice is no remedy for our national problem in getting rid of a McCarthyism which antedates and survives the Wisconsin adventurer. So long as the government is dealing with "sensitive" jobs—Vitarelli's was not one of them—it is free to use this kind of screening and to protect its "confidential informants" from cross-examination. Two cases which involve these broader issues still await decision by the court, and in Congress a powerful bloc of troglodytes is fighting to reverse the Cole decision of 1956 and extend loyalty-security proceedings—the star chamber and the faceless informer—to all government jobs, "sensitive" or not. A queasy public uneasiness about these procedures is making itself felt, but as yet there has been no cleansing revival of real feeling for justice and liberty. Until we stop producing these for export only, the loyalty-security miasma will not be dissipated.

Even McCarthy Didn't Go This Far

"'Mr. ARMSTRONG [the Interior Departmental security officer inquiring about petitioner's activities as a teacher in a Georgia college]: What were your feelings at the time concerning race equality? . . . How about civil rights? . . . Do I interpret your statement correctly that maybe Negroes and Jews are denied some of their constitutional rights at present?

'Mr. VITARELLI: Yes.

'Mr. ARMSTRONG: In what way?

'Mr. VITARELLI: I saw it in the South where certain jobs were open to white people and not open to Negroes . . . In our own university, there was a quota at Columbia College for the medical students. Because they were Jewish. . . .

'Chairman TOWSON [of the security hearing board]: Isn't it true that the quota system is designed by the college in order to make it available to persons other than live in New York City . . . rather than the race, creed or color?

'Mr. VITARELLI: I think that is the way the policy is stated.

'Chairman TOWSON: Is it not a fact?

'Mr. VITARELLI: I don't think so. . . .

'Mr. ARMSTRONG: I think you indicated in an answer to an interrogatory that you at times voted for and sponsored the principles of Franklin D. Roosevelt, Norman A. Thomas and Henry Wallace? . . . The file indicates too that you were quite hepped up over the one world idea at one time; is that right?'

"Witnesses presented by petitioner were asked by the security officer and board members such questions as:

'Did you consider Dr. Vitarelli as a religious man? . . . Was he an extremist on equality of races'?"

—Supreme Court footnote in Vitarelli v. Seaton.

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Can't "Detect" Enough About Such Tests to Give the Results They Need

What the Military Really Fear About Underground Testing

We want to call attention to an almost unnoticed speech made before the Second Missile Industry Conference here in Washington on May 27 by Brigadier General J. A. Barclay, commander, Army Ballistic Missile Agency. In it he said that while world opinion "may dissuade the United States at least from testing nuclear weapons on the surface of the earth or in the denser atmosphere, because of fallout" tests by "underground explosions on a large scale are not feasible." He did not elaborate but went on to suggest "outer space as a proving ground . . . because attendant fallout is minimized."

Dr. Libby Was Suspiciously Cautious

The General's remark becomes clearer if read against the background of a panel discussion the last day of the recent radiation hearings. Dr. Libby was very cautious when questioned about the feasibility of underground testing. He said such tests so far had been limited in size "for obvious reasons." He would not go beyond saying that "it looks quite hopeful that we can tell how the thing works and most of what we need to know." Later Dr. Libby admitted that while there was no air or water contamination from the Rainier shot in Nevada, "This was a good rock for this particular kind of experiment," adding "We don't know for sure that some other kind of rock would seal it in as well."

Why Not 1454 Megatons on 225 Targets?

"Our Committee is aware that their attack pattern has been arbitrarily set forth. . . . Our pattern of attack is based on the net delivery of 1453 megatons of nuclear weapons on 224 United States target areas, using 260 separate nuclear weapons. This pattern furnishes a base which is necessary for mathematical computation and biological estimation of effects."

—Con. Chet Holifield, announcing public hearings June 15 on "the effects of nuclear war."

Dr. Shelton of the Armed Forces Special Weapons Project, who was on the same panel, objected that testing underground or in outer space was not satisfactory because both provided "very little information on the main purpose of the weapon, that is, how to use it and whether to use it and what it will do." The military are not so much worried about an enemy testing underground without being detected as that they themselves when testing underground can't "detect" enough to make such tests useful.

The question of underground testing has been blown up out of all proportion in the hope that it can be used to upset an agreement altogether. What the military want is to resume testing in the atmosphere where they can see the results.

Anderson Disagrees With Holifield and the AEC's Advisory Committee on Radiation Peril

Miss DAWSON; Senator, as Chairman of the Joint Committee on Atomic Energy, you have the responsibility for hearings on radiation fallout. Are you satisfied with the results of these hearings?

Senator ANDERSON: Well, let me start out, Carol, by saying that Congressman Chet Holifield of California really had responsibility for these hearings and I thought did a very fine job. I think he was better satisfied with them than I was. I was not so satisfied because I did not think that the hearings looked ahead. They dealt with the fallout that now exists, instead of concerning themselves with what might happen if we continued testing for the next ten or 15 years.

Miss DAWSON: Well, then, Senator, do you think that if the State Department declassified the three secret documents which may relate to possible detection of atomic nuclear tests, do you believe that a nuclear test ban would still be feasible?

Senator ANDERSON: Well, I don't believe the declassification of these documents is the real question whether a nuclear test ban is feasible. The real problem is, do we want one, do the other countries want one or are we just going to find places on which we can dispute and argue. We can always do that and we seem to have done it successfully for months. I am afraid we are going to keep on doing it for many more months. . . .

Mr. MEANS: I would like to get back to the hearings for a moment, Senator. You pointed out that they only tried to assess the amount of radiation that does exist, but there has been great criticism of this. One group, for example, from the College of Physicians and Surgeons in New York, charged that the report was misleading.

Senator ANDERSON: Well, I said the report was misleading also. I was trying to find a quotation here to show you what I mean. In one spot they said, about strontium 90, 'The amount of Strontium 90 which has been found in food and water is less of a hazard than the amount of radium normally present in public drinking water supply in certain places in the United States.'

Now you would think from that that a good drink of Sr90 was about as dangerous as drinking spring water. Well that isn't the story at all. These does happen to be a well that carries quite a heavy radium content and the people who have been drinking it have not yet shown any substantial deterioration. . . .

The fact that we are taking in a very large dose and you don't see a man drop dead in the street doesn't necessarily mean there is not some deterioration. I would have liked the report better if there had been a biologist on it. I would have liked the report much better if somebody was paying some attention to the final genetic effects of it. That wasn't true. We had chemists and engineers on it and that isn't my idea of how best to measure the hazards of this situation. . . .

Mr. HUTCHISON: Senator, returning to the problem of radiation fallout, in your opinion how great is the danger from fallout, if we continue our nuclear testing?

Senator ANDERSON: Obviously it is not too great today . . . but if we continue to test at the same rate we could do damage some day soon. . . .

Mr. HUTCHISON: Then I take it you agree with the AEC Advisory Committee report that there is no great danger at present?

Senator ANDERSON: No, I don't agree with it at all. The Advisory Committee report somehow got to the hearings at a very opportune moment for those people who didn't want a very thorough probing of this. It hung like a sword of Damocles over the whole hearing. Any scientist who got up and testified on fallout had to realize here was the official position of the AEC hanging over him. . . . I think it would have been far better if the Advisory Committee report, which had been long delayed, had been delayed five or six more days until the hearings could have been over.

—Ruth Hagy's College News Conference, ABC Network, May 31.

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A Portrait of Coleman Before the Senate Constitutional Rights Subcommittee

Governor Turns Uncertain About Special Grand Jury in Lynching

Governor James P. Coleman of Mississippi, in his appearance here before the Senate subcommittee on constitutional rights, turned out to be a shrewd, lanky and relaxed gentleman with a big toothy smile. His hair is greying at the temples; his dark silk suit was well-tailored. He pronounced "Negro" without slurring and under questioning by Senator Langer produced one of the year's finest understatements. "I am not here," he declared, "to say to this committee that every Negro in the State of Mississippi is voting today."

Most of the Governor's time on the stand was taken up by a warm and friendly duet with Senator Ervin of North Carolina in which the two of them, without a single disagreement, touched on Thad Stevens, the horrors of Reconstruction, and the iniquities of the Federal courts in granting Negro plaintiffs writs of habeas corpus. As the Governor summed it all up philosophically, "one excess always provokes another." Somehow judges and lynchers emerged on the same plane.

When Trial Not Required

The Governor referred with pride to his four years as a Judge, but his standards as a jurist appeared to be flexible. He admitted that some people had criticized him for saying after the Poplarville lynching, "The proof of this man's guilt of rape was conclusive." He defended this verdict without trial. But when Senator Carroll (*D. Col.*) said that Federal courts in the South had held that where not a single Negro voter is registered, "as a matter of simple arithmetic, you don't have to prove anything, that discrimination is obvious on its face", the Governor objected. "Well, sir," he said, "that is establishing a rule that some things don't have to be proven in court."

Governor Coleman several times defended the failure to summon a special grand jury in the Poplarville lynching on the ground that the State Supreme Court would invalidate indictments brought by a grand jury if summoned specially to consider a particular crime. "But supposing," Senator Carroll asked him, "a special grand jury were called for the purpose of investigating the breakdown of law and order in that area? How did they get the key? How did they get into the jail? Did they break the doors? Was there a conspiracy on that part of the sheriff, or the jailers? Suppose that you launched an investigation into that by virtue of a special grand jury, and incidentally but not primarily, indictments were returned. Do you think they would be sustained?"

We hope readers will press their Senators to demand an explanation from the Attorney General as to why he dropped any effort to prosecute the Poplarville lynching in the Federal courts. There is growing reason to believe the lynchers were masked and had the cooperation of country officials. Either, if proven, would bring the lynching clearly within the Civil Rights statutes even as emasculated by judicial decision.

The Governor was uncertain. "I am not quite sure on the decisions which have already been rendered," he replied, "that they would not be sustained. In getting away from home and coming up here to make this appearance, I wanted an opportunity to look up these decisions. I have not seen them in 10 years—not since 1950. And I would like to ask the privilege of checking these decisions and filing with this committee within the next day or two." As this was being written, no reply had yet been received.

Senator Carroll told reporters the government had "more than enough grounds" on which to press a Federal prosecution. "Government sources" quoted by the *Chicago Tribune* and the *Associated Press* May 28 on the FBI report turned over to the Governor described the lynchers as masked. If they were masked, the lynching can be prosecuted under the civil rights statutes. When Senator Carroll asked the Governor whether the lynchers were masked, Coleman declined to answer. "If I were to discuss the contents of the reports," he told the Senator, "it would in effect be trying the case in the newspapers."

That Lynch Witness Just Happened to Scratch Her Throat With A Razor?

Sen. [Wm.] Langer (R. N. D.). What I am interested in is this Associated Press report of May 12 that a woman prisoner and the janitor [of the jail] had attempted to commit suicide at Poplarville, both white people. Do you know anything about these incidents?

Gov. [James P.] Coleman of Mississippi. My best information, sir, is that that had absolutely no connection whatever with the lynching episode but were two individual occurrences growing out of separate circumstances peculiarly personal to these two people and which shed no light on the lynching at all. I make that statement on my responsibility as Governor of the State.

Sen. Langer. As a matter of fact, if there was any connection at all, you would offer protection to those two white people, would you not?

Gov. Coleman. Yes, sir, but I can assure you they stand in no need of protection from anybody under any circumstances. . . .

Mr. [Charles H.] Slayman, [Jr., chief counsel to the Senate subcommittee]. Governor, the reference to one of these people, this white woman in the jail, Helen Van Ness, was that she had witnessed the abduction [reading from AP story] 'Miss Van Ness, who witnessed the beating and abduction of Parker April 25, cut her throat with a razor blade last Thursday. She was treated at Pearl River County Hospital one day and returned to the jail.'

Gov. Coleman. I think that would give you some idea of the seriousness of her injuries when she received treatment for only one day for cutting her throat. It was just a superficial scratch that the newspapers made a great deal of. —*May 28, Senate Constitutional Rights subcommittee.*

The matter was dropped after the Governor's unresponsive answer. No one asked whether he had personally investigated the attempted suicides. If Miss Van Ness witnessed the abduction, she is a key witness. The janitor of the jail may also know a good deal. If county authorities connived at the lynching, as was charged in a letter from Poplarville to Station WMCA in New York, then the Federal Civil Rights Acts were violated. County authorities have in their power two important prospective witnesses who might involve them. Why should they be left in the county jail from which Parker was so easily abducted?

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The AEC Chairman's Hand on Dr. Inglis Proves Quicker Than The Senate's Eye

McCone Shows the Same Genius for Flim-Flam As Strauss

When Admiral Strauss was before the Senate Commerce Committee on May 11 he denied that he had tried to obtain information from the AEC security files on Dr. David Inglis. "You can call the security people at the Atomic Energy Commission down here and ask them," Strauss said indignantly to Senator McGee.

McGee took Strauss up on the suggestion. Through Senator Anderson, chairman of the Joint Committee on Atomic Energy, he did ask Chairman McCone of the AEC. On May 28 McGee produced a letter by McCone. The letter by McCone disclosed that Strauss phoned McCone's office about Inglis on April 20, ten days before Inglis testified against him.

The "Three Weeks" Were Carefully Chosen

Another falsehood by Strauss has little news value. The real news—unnoticed in the Senate—in the McCone letter is that the new AEC chairman is as tricky as his predecessor. (See May 28 *Congressional Record.*) The first paragraph says the security file on Dr. Inglis is at the AEC office in Chicago. "No one," McCone then asserts, "has reviewed this file or furnished directly or indirectly any information from it to anyone *during the past three weeks.*" (Italics added). This is as neat a bit of flim-flam as anything by Strauss.

Why did McCone specify three weeks? His letter was dated May 13. The three weeks preceding began on Thursday, April 23. Now if you read further in the McCone letter you find that it was during the week *before* that Strauss made his inquiry. He phoned McCone's office on April 20. He got a reply on April 21. The *summary* security file on Inglis in Washington *was* examined on April 22, the day before the three weeks began.

The McCone letter admits the summary security file in Washington was examined on April 22 but it is silent on the original security file at Chicago. Was that too examined on April 20, 21 or 22 as a result of the Strauss phone call? The McCone letter only says no information had been furnished anyone from it "during the past three weeks." Won't some Senator please ask McCone about the fourth week?

Marxian and Anti-American

"Erpf was told that Congress might also wonder whether he could be fair to trucks, ships and airlines in the light of Loeb, Rhoades' rail stake. He replied, 'This reminds me of a Marxian notion.' He added that any suggestion that Loeb, Rhoades' investments would shape his advice to the administration was 'an anti-American attitude'."

—From the story by Bernard D. Nossiter in the Washington Post May 28 which first disclosed that Armand G. Erpf, the man picked by Admiral Strauss to head a Commerce Department study of national transportation policy, is a partner in Loeb, Rhoades & Company, a leading railroad banking house. Erpf bowed out three days after the Nossiter interview appeared.

An Idyllic But Obscure Narrative

McCone's account of why Strauss called and why his office examined the summary of Dr. Inglis's security file strains credibility. It says Strauss phoned because he heard Dr. Inglis might testify and it "would be helpful to know whether he was employed by an AEC contractor, and, if so, the name of his profession." It hardly required a security file check to know that Dr. Inglis was a famous physicist long employed at AEC's Argonne lab and newly elected chairman of the Federation of American Scientists. McCone says Strauss was informed on the 21st—"since both points were a matter of public information—that Dr. Inglis was at Argonne and that American Men of Science "listed several fields of competence." Such circumspection is admirable.

Why, then, was the summary of Dr. Inglis's file examined next day, the 22d? This, according to McCone, was to "alert" him "to any public information contained in the record re Dr. Inglis which might suggest whether his general testimony would involve the AEC. . . . No such information was found." The phrasing shows a genius for obscurity. It also makes one wonder why the AEC chairman—who presumably has full clearance—only wanted to be alerted to "*public* information." Strauss certainly picked a kindred spirit as his successor.

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